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THE CITY OF NEW YORK
LAW DEPARTMENT

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April 28, 2023

Via ECF and E-Mail

Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Tatiana Bonilla v. City of New York, et al.
Civil Action No.: 1:22-cv-7113 (AT)

Dear Judge Torres:

I am the Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, assigned to represent the Defendants in the above-referenced case. I am writing to request a stay in discovery until the Court rules on Defendants' motion to dismiss the Third Amended Complaint ("TAC"). I would like to bring to the Court's attention that the Plaintiff's counsel has consented to this request.

A motion to dismiss the TAC is currently pending before the Court as of March 3, 2023. See ECF Dkt. Nos. 48-50. Defendants' position is that the TAC fails to state a claim upon which relief can be granted. Plaintiff opposed our motion on March 23, 2023. See ECF Dkt. Nos. 58-59. Defendants replied in support of our motion to dismiss the TAC on April 7, 2023. See ECF Dkt. No. 60.

If the Court grants our motion, it would be unnecessary and inefficient to proceed with discovery. On the other hand, if the Court denies our motion, both parties will submit an amended proposed case management plan within seven (7) days of the court order or on whatever terms the Court seems proper.

Accordingly, we respectfully request that the Court grant our motion for a stay in discovery pending the resolution of our motion to dismiss. We believe this request is reasonable and will promote judicial economy.

Thank you for your consideration of this matter.

DENIED. The Court shall not stay discovery pending its decision on any motion. See ECF No. 57 ¶ 5. The parties shall comply with the civil case management plan and scheduling order entered at ECF No. 57.

SO ORDERED.

Dated: May 1, 2023
New York, New York


ANALISA TORRES
United States District Judge